In the Supreme Court of the United States

..... TERM, 197.....

No. A-1096

TERRY BROWN, ARLENE CIRELLI, PATRICK O'HEARN, and BOB YOUNG,
Petitioners,

vs.

NEW MEXICO *ex rel.* A. L. HAPPY APODACA, A. L. HAPPY APODACA, DAVID L. NORVELL, Attorney General of the State of New Mexico, and BETTY FIORINA, Secretary of the State of New Mexico,
Respondents.

ON PETITION FOR A WRIT OF CERTIORARI TO THE SUPREME COURT OF THE STATE OF NEW MEXICO

SUPPLEMENTAL BRIEF FOR RESPONDENTS IN OPPOSITION

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OPINION BELOW

The opinion below is adequately discussed in Respondent's Brief in Opposition.

JURISDICTION

The jurisdictional requisites are adequately set forth in the Petition.

QUESTIONS PRESENTED

(1) Has the repeal of Sect. 3-8-26, N.M.S.A. 1953, and the subsequent enactment of a new Sect. 3-8-26, N.M.S.A. 1953, by the New Mexico Legislature rendered this case moot.

STATUTORY PROVISIONS INVOLVED

(1) Sect. 3-8-26, N.M.S.A. 1953 (Repealed by Laws 1973, Chapter 228, Section 11), Primary Election Law—Filing Fees.

(2) Sect. 3-8-26, N.M.S.A. 1953 (Laws 1973, Chapter 228, Section 11), Primary Election Law—Filing Fees.

(3) Sect. 3-8-26.1, N.M.S.A. 1953 (Laws 1973, Chapter 228, Section 12), Primary Election Law—Pauper's Statement in Lieu of Filing Fee.

A copy of each is set out in full in Appendix A.

STATEMENT OF THE CASE

The statement of the case is adequately discussed in the Petition and in the Brief for Respondents in opposition.

ARGUMENT

I

Has the Repeal of Section 3-8-26, N.M.S.A. 1953, and the Subsequent Enactment of a New Section 3-8-26, N.M.S.A. 1953, by the New Mexico Legislature Rendered This Case Moot.

Petitioners herein sought to intervene in an original mandamus proceeding brought in the New Mexico Supreme Court to compel the Secretary of State of New Mexico to certify only the names of persons who paid the filing fees prescribed by Sect. 3-8-26(A), N.M.S.A. 1953 (Repl. Vol. 1, 1970) as candidates in the primary election scheduled to be held June 6, 1972, or alternatively, to certify only those who would tender such fees within such time and under such conditions as the New Mexico Supreme Court should prescribe (Brief for Resp. in Opp. App. B). Petitioner's motion for intervention was denied and they sought their relief in this Court. Since the filing of their Petition for Writ of Certiorari the New Mexico Legislature has repealed the statutes in question and enacted new statutes in their place. It is respondent's position that this subsequent action by the New Mexico Legislature has rendered moot petitioner's claims.

It has been said that the duties of this Court:

> * * * is to decide actual controversies by a judgment which can be carried into effect, and not to give opinions upon moot questions or abstract propositions, or to declare principles or rules of law which cannot affect the matter in issue in the case before it. *Mills* v. *Green*, 159 U.S. 651, 653, 40 L.Ed. 293, 294, 16 S.Ct. 132. See also *Local No. 8-6 Oil, Chemical & Atomic*

Workers International Union, AFL-CIO, et al. v. *Missouri*, 361 U.S. 363, 80 S.Ct. 391, 4 L.Ed.2d 373.

Just when review by this Court is appropriate and when it is inappropriate is not particularly clear and has been the subject of continual litigation. Such litigation has raised many questions and, on occasion, criticisms, Note, Mootness on Appeal in the Supreme Court, 83 Harv. L. Rev. 1672 (1970), however, it is suggested that if petitioner's original contentions are considered in connection with the recent change of Sect. 3-8-26, supra, it is obvious that the case is moot by any standard.

A cause of action can be rendered moot in any one of several different ways. In the instant case we are faced with a subsequent change of law which, it is contended, negates further prosecution of the matter in this Court.

When the intervening and possibly mooting event is a change of law subsequent to the filing of the case, but prior to determination, it is necessary that the Court undertake an inquiry to ascertain the consequences of such change of law. Such inquiry must entail an examination of the points of contention and the newly enacted law to determine whether the issues presented by the original litigation are still present. In other words, is the principle contended by the challenging party satisfied by the new law?

Speaking somewhat in generalities it can be said that petitioners were seeking a forum in which to challenge New Mexico's filing fee requirement. Under this statute, before a person's name could be placed on the primary election ballot it was necessary that certain filing fees be paid to the Secretary of State.

Both petitioners herein and appellant Norvell in the companion case to this, *Norvell* v. *New Mexico ex rel. Apodaca*, No. A-1097, argue that the previous system set forth in Sect. 3-8-26, N.M.S.A. 1953 (Repealed by Laws 1973, Chapter 228, Section 11), was in contravention of the equal protection doctrines governing filing fees as announced in *Bullock* v. *Carter*, 40 U.S.L.W. 4211 (U.S. Sup. Ct. February 24, 1972).

In the argument challenging the constitutionality of the New Mexico filing fee statute, an argument utilized in both *Brown* v. *New Mexico ex rel. Apodaca*, No. A-1096 and *Norvell* v. *New Mexico ex rel. Apodaca*, No. A-1097, it is first argued that the standard applied by the New Mexico Supreme Court, that of "the legislative duty to protect the purity of elections and guard against abuses of the elective franchise" was improper. In support of such contention the following was quoted from *Bullock* v. *Carter*, supra:

> because the Texas filing fee scheme has a real and appreciable impact on the exercise of the franchise, and because this impact is related to the resources of the voters supporting a particular candidate, we conclude . . . that the laws must be "closely scrutinized" and found reasonably necessary to the accomplishment of legitimate state objectives in order to pass constitutional muster. 40 U.S.L.W. at 4214.

Secondly, it was argued that the reason given by the New Mexico Supreme Court as justification for such filing fee, that of keeping non-serious candidates off the ballot, was insufficient. In support of this contention *Bullock* v. *Carter*, supra, was again relied upon. Both appellant and petitioner, in their respective briefs, admitted that this Court in *Bullock* condoned such as legitimate concern and perhaps a legislative duty, but they tempered such concession by the following language from that case:

> to say that the filing fee requirement tends to limit the ballot to the more serious candidates is not enough. There may well be some rational relationship between a candidate's willingness to pay a filing fee and the seriousness with which he takes his candidacy, but the candidates in this case affirmatively alleged that they were unable not simply unwilling, to pay the assessed fees and there was no contrary evidence . . . And even assuming that every person paying the large fees required by Texas takes his own candidacy seriously, that does not make him a "serious candidate" in the popular sense. If the Texas fee rquirement is intended to regulate the ballot by weeding out spurious candidates, it is extraordinarily ill-fitted to that goal; other means to protect those valid interests are available. 40 U.S.L.W. at 4215 (footnotes omitted).

Considering such arguments in light of the newly enacted legislation replacing the repealed filing fee requirement, it can be only concluded that any such claims or contentions have been alleviated. Under the new law which requires only the filing of fifty dollars ($50.00) in declaring candidacy of any office, and further provides for a pauper's statement in lieu of the fifty dollar filing fee, it can no longer be argued that filing fees restrict the exercise of the franchise through a classification based upon wealth. Even this Court recognized in *Bullock* v. *Carter*, supra, that a "reasonable" candidate fee is acceptable and it certainly can be argued that the sum now prescribed by statute is reasonable. Further, it can be argued that this fifty dollars ($50.00) constitutes a source of funds to cover the cost of filing and is, therefore, "reasonably necessary to the accomplishment of legitimate state objectives . . ." 40 U.S.L.W. at 4214.

Respondent's request is not without precedent. This Court on many occasions has rendered moot pending mat-

ters where there was an intervening change of law. In *Hall* v. *Beals*, 396 U.S. 45 (1969), appellants, who had moved to Colorado from California, sought to vote in the 1968 Presidential Elections but were denied such privilege based on the Colorado residency requirement of six (6) months. Appellants instituted a class action to enjoin enforcement and operations of the Colorado statute, but that action was dismissed by the Three-judge District Court. Direct appeal to this Court was taken. In a per curiam opinion this Court observed:

> The 1963 election is history, and it is now impossible to grant the appellants the relief they sought in the District Court. Further, the appellants have now satisfied the six-month residency requirement of which they complained. But apart from these considerations, the recent amendatory action of the Colorado Legislature has surely operated to render this case moot. We review the judgment below in light of the Colorado statute as it now stands, not as it once did. *Thorpe* v. *Housing Authority*, 393 U.S. 268, 281-282, 89 S.Ct. 518, 526, 21 L.Ed.2d 474; *United States* v. *Alabama*, 362 U.S. 602, 604, 80 S.Ct. 924, 926, 4 L.Ed.2d 982; *Hines* v. *Davidowitz*, 312 U.S. 52, 60, 61 S.Ct. 399, 400, 85 L.Ed. 581; *Carpenter* v. *Wabash R. Co.*, 309 U.S. 23, 26-27, 60 S.Ct. 416, 417-418, 84 L.Ed. 558; *United States* v. *Schooner Peggy*, 1 Cranch 103, 110, 2 L.Ed. 49. And under the statute as currently written, the appellants could have voted in the 1968 presidential election. The case has therefore lost its character as a present, live controversy of the kind that must exist if we are to avoid advisory opinions on abstract propositions of law. *Golden* v. *Zwickler*, 394 U.S. 103, 110, 89 S.Ct. 956, 960, 22 L.Ed.2d 113; *Baker* v. *Carr*, 369 U.S. 186, 204, 82 S.Ct. 691, 703, 7 L.Ed.2d 663; *Mills* v. *Green*, 159 U.S. 651, 653, 16 S.Ct. 132, 133, 40 L.Ed. 293.

The Court emphasized that:

> So far as they are concerned nothing in the Colorado legislative scheme as (thus) written adversely (affected) either their present interests, or their interests at the time this litigation was commenced.

In rendering this decision this Court recognized that appellants therein could have foreseeably taken up residence in some other state and face disqualification under that state's law, or, for that matter, that they could return and re-establish their residence in Colorado within the two month requirement. Nonetheless, the majority refused to yield to "such speculative contingencies".

In *Watts* v. *Seward School Board*, 381 U.S. 41 (1965), two teachers who were dismissed on grounds of "immorality", as defined by state statute, petitioned for writ of certiorari to this Court. Subsequent to the filing of the case the Alaska legislature amended its statutes in this area. In light of this intervening action this Court dismissed the Alaska Supreme Court decision affirming the dismissal of the teachers and remanded it for considerations under the amended statutes. The Court observed:

> This Court has held that supervening changes in state law that may be relevant to the disposition of a case may require that the cause be remanded for appropriate action by state court.

There have, of course, been cases where such supervening events have been held not to render moot a case pending in this Court. For instance, in *Brockington* v. *Rhodes*, 396 U.S. 45 (1969), in which Ohio's election requirement of a petition signed by 7% of the qualified voters of district was challenged, this Court refused to dismiss the cause based on mootness in spite of the intervening action by that state's legislature changing the petition

requirement from 7% to 4%. The Court held that the legislative enactment did not render the case moot since petitioners had consistently argued that the requirement in excess of 1% was unconstitutional. However, the Court did hold the matter was moot since the congressional election was over and since "appellant did not allege that he intended to run for office in any future elections." Further, the action was not a class action giving rise to possibility of other future candidates.

A similar result evolved from *Moore* v. *Ogilive*, 394 U.S. 814 (1969), also involving signature requirement on petitions. In that case the Court reasoned that the burden remained for future elections and was therefore not moot.

As has already been discussed, the New Mexico filing fee requirement "as currently written" no longer "adversely affects either their present interests, or their interests at the time this litigation was commenced." Nor is this case susceptible to the same criticism the *Hall* v. *Beals* decision has been subjected to, 83 Harv. L. Rev. 1672, that of being "capable of repetition, yet evading review." Further, in the case at bar none of the parties have any filing fees which are being held pending the outcome of this matter.

Before concluding, mention must be made of a provision in the New Mexico Constitution. Article IV, Sect. 33 of the New Mexico Constitution provides that, "No act of the legislature shall affect the right or remedy of either party, or change the rules of evidence or procedure, in any pending case." In *Fidelity & Deposit Company of Maryland* v. *Tafoya*, 270 U.S. 426 (1926), a case involving the license of a foreign corporation to do business in New Mexico, this Court declined to dismiss the matter in spite of the intervening repeal of the statute in question. The Court observed that because of the above quoted pro-

vision in the New Mexico Constitution it was "at least possible that the state courts might hold that the plaintiff was still liable to lose its license . . .". In the case at bar no such problem exists. The election is over, the parties have no monies being held by the state, and their only purpose was to attack the filing fee requirement. As a consequence, they have no interests which can be jeopardized by the operation of this provision.

CONCLUSION

For the foregoing reasons, it is respectfully submitted that this cause be dismissed.

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APPENDIX

3-8-26. Primary Election Law—Filing fees—The filing fee for each of the following offices is:

A. All officers receiving salary .....
..... 6% of the first year's salary

B. Lieutenant governor $400.00

C. Member of the legislature 50.00

D. Member of the state board of education 50.00

E. County surveyor 20.00

STATE OF NEW MEXICO
office of
THE SECRETARY OF STATE

Certificate

I, Betty Fiorina, Secretary of State of the State of New Mexico, do hereby certify that the attached is a true and correct copy of the Enrolled and Engrossed HOUSE FLOOR SUBSTITUTE FOR HOUSE PRIVILEGES AND ELECTIONS COMMITTEE SUBSTITUTE FOR HOUSE BILL NUMBER 338, AS AMENDED and signed by the Honorable Bruce King, Governor on March 29, 1973 now being Laws 1973, Chapter 228.

Given under my hand and the Great Seal of the State of New Mexico, in the City of Santa Fe, the Capital on this 2nd day of April, A.D. 1973.

/s/ Betty Fiorina
Secretary of State

(Great Seal of the
State of New Mexico 1912)

The Legislature
of the
STATE OF NEW MEXICO
31st Legislature, 1st Session
LAWS 1973
CHAPTER 228

HOUSE FLOOR SUBSTITUTE FOR HOUSE PRIVILEGES AND ELECTIONS COMMITTEE SUBSTITUTE FOR HOUSE BILL No. 383, AS AMENDED, EMERGENCY CLAUSE

Introduced by

(Great Seal of the
State of New Mexico 1912)

CHAPTER 228

AN ACT

RELATING TO THE ELECTION CODE; PROVIDING FOR CANDIDACY IN PRIMARY ELECTIONS; DECLARING AN EMERGENCY.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. Section 3-8-17 NMSA 1953 (being Laws 1969, Chapter 240, Section 167) is amended to read:

"3-8-17. PRIMARY ELECTION LAW—WHO MAY BECOME A CANDIDATE.—

A. No person who has changed his party affiliation subsequent to the governor's proclamation for the pri-

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HFS/HPECS/HB 383
Approved March 29, 1973

mary election shall become a candidate for nomination for any office at such primary election.

B. No person shall become a candidate for nomination by a political party unless his record of registration shows his affiliation with that political party on the date which he files his declaration of candidacy for the primary election."

Section 2. Section 3-8-19 NMSA 1953 (being Laws 1969, Chapter 240, Section 169) is repealed and a new Section 3-8-19 NMSA 1953 is enacted to read:

"3-8-19. PRIMARY ELECTION LAW—METHOD OF PLACING NAMES ON PRIMARY BALLOT.—

A. All candidates for nominations to be made at any primary election for the office of United States representative, for any office voted upon by all the voters of the state, for a member of the legislature, district judge, district attorney, state board of education or magistrate shall have their names placed on the primary election ballot by filing a declaration of candidacy and a nominating petition as prescribed by the Primary Election Law.

B. All other candidates for nominations to be made at any primary election shall have their names placed on the primary election ballot by filing a declaration of candidacy and paying the filing fee prescribed by law or by filing a declaration of candidacy and filing a pauper's statement of inability to pay the prescribed filing fee."

Section 3. Section 3-8-24 NMSA 1953 (being Laws 1969, Chapter 240, Section 174) is repealed and a new Section 3-8-24 NMSA 1953 is enacted to read:

"3-8-24. PRIMARY ELECTION LAW—DECLARATION OF CANDIDACY—SWORN STATEMENT OF INTENT—FORM.—In making a declaration of candidacy the

candidate shall submit a sworn statement of intent in substantially the following form:

"DECLARATION OF CANDIDACY—STATEMENT OF INTENT

I, ..., (candidate's name on affidavit of registration) being first duly sworn, say that I am a qualified elector of precinct No. ..... of the county of ....., State of New Mexico;

I am a member of the ..... party as shown by my affidavit of registration and I have not changed such party affiliation subsequent to the Governor's proclamation calling the primary in which I seek to be a candidate;

I desire to become a candidate for the office of ..... at the primary election to be held on the date set by law for this year, and if the office be that of a member of the legislature, that I actually reside within the legislative district for which I declare my candidacy;

I will be eligible and legally qualified to hold this office at the beginning of its term;

If a candidate for any office for which a nominating petition is required, I am submitting with this statement a nominating petition in the form and manner as prescribed by the Primary Election Law; and

I make the foregoing affidavit under oath, knowing that any false statement herein constitutes a felony punishable under the criminal laws of New Mexico.

.....
(Declarant)

.....
(Mailing Address)

Subscribed and sworn to before me this .....

day of ....., 19.....

.....

(Notary Public)

My commission expires:

....."."

Section 4. A new Section 3-8-24.1 NMSA 1953 is enacted to read:

"3-8-24.1. PRIMARY ELECTION LAW—DECLARATION OF CANDIDACY--NOMINATING PETITION—FILING AND FORM.—

A. As used in the Primary Election Law, "nominatting petition" means the form or forms used for obtaining the required number of signatures of registered voters which is signed on behalf of the person wishing to become a candidate for a political office in the primary election requiring a nominating petition.

B. In making a declaration of candidacy, the candidate at the same time shall file a nominating petition which shall be on forms prescribed by law.

C. The nominating petition shall be on paper eight and one-half inches wide and fourteen inches long with twenty-five lines spaced three-eighth of an inch apart and numbered from one to twenty-five and in the following form:

"NOMINATING PETITION

I, the undersigned, a registered voter of the county of ....., New Mexico, and a member of the ..... party, hereby nominate ....., who resides at ..... in the county of

....., New Mexico, for the party nomination for the office of ....., to be voted for at the primary election to be held on the first Tuesday of June this year, and I declare that I have not signed, and will not sign, any nominating petition for more persons than the number of candidates necessary to fill such office at the next ensuing general election.

1. .....
(signature) (name printed) (Pct. No.)
(address, city)

2. .....
(signature) (name printed) (Pct. No.)
(address, city)

3. etc. . . .".

D. When more than one sheet is required for a petition, each of the sheets shall be in the form prescribed by this section and all sheets shall be firmly secured in the upper left-hand corner by a staple or other suitable fastening."

Section 5. A new Section 3-8-24.2 NMSA 1953 is enacted to read:

"3-8-24.2. PRIMARY ELECTION LAW—DECLARATION OF CANDIDACY—NOMINATING PETITION—SIGNING AND CERTIFICATION.—

A. Each signer of a nominating petition shall sign but one petition for the same office unless more than one candidate is to be elected to such office, and in that case not more than the number of nominating petitions equal to the number of candidates to be elected to the office shall be signed.

B. A signature shall be counted on a nominating petition unless:

(1) the signature is not upon the form prescribed by the Primary Election Law;

(2) there is evidence presented that the person signing is not a registered voter of the state, district, county or area to be represented by the office for which the person being nominated is a candidate;

(3) there is evidence presented that the person signing has signed more than one petition for the same office or has signed one petition more than once except as provided in Subsection A of this section;

(4) there is evidence presented that the person signing is not of the same political party as the candidate named in the nominating petition as shown by the signer's affidavit of registration; or

(5) there is evidence presented that the person signing is not the person whose name appears on the nominating petition."

Section 6. A new Section 3-8-24.3 NMSA 1953 is enacted to read:

"3-8-24.3. PRIMARY ELECTION LAW—NOMINATING PETITION—FALSIFYING.—Any person who knowingly falsifies any information on a nominating petition is guilty of falsifying an election document."

Section 7. A new Section 3-8-24.4 NMSA 1953 is enacted to read:

"3-8-24.4. PRIMARY ELECTION LAW—NOMINATING PETITION—NUMBER OF SIGNATURES REQUIRED.—

A. The basis of percentage for the votes of the party in each instance referred to in this section shall be the total vote for the party's candidates for governor at the

last preceding primary election at which the party's candidate for governor was nominated.

B. Nominating petitions for a candidate for United States senator or any state-wide elective office shall be signed by a number of voters equal to at least one percent of the votes of the party of the candidate in each of at least ten counties in the state and not less than three percent of the total vote of his party in the state.

C. Nominating petitions for a candidate for United States representative shall be signed by a number of voters equal to at least one percent of the votes of the party of the candidate in each of at least five counties of the congressional district, and not less than three percent of the total vote of his party in the congressional district.

D. Nominating petitions for a candidate for member of the legislature, district judge, district attorney, state board of education or magistrate shall be signed by a number of voters equal to at least three percent of the total vote of his party in the district or division as the case may be."

Section 8. A new Section 3-8-24.5 NMSA 1953 is enacted to read:

"3-8-24.5. PRIMARY ELECTION LAW—NOMINATING PETITION—WITHDRAWALS AND ADDITIONS.—A nominating petition when filed shall not be withdrawn nor added to, nor shall any person be permitted to revoke his signature thereon."

Section 9. A new Section 3-8-24.6 NMSA 1953 is enacted to read:

"3-8-24.6. PRIMARY ELECTION LAW—NOMINATING PETITION—LIMITATION ON APPEALS OF VALIDITY OF NOMINATING PETITIONS.—

A. Any voter filing any court action challenging a nominating petition provided for in the Primary Election Law shall do so within ten days after the last day for filing declaration of candidacy. Within ten days after the filing of the action, the district court shall hear and render a decision on the matter. Such decision shall be appealable only to the supreme court and notice of appeal shall be filed within five days after the decision of the district court. The supreme court shall hear and render a decision on the appeal forthwith.

B. For the purposes of an action challenging a nominating petition, each person filing a nominating petition under the Primary Election Law appoints the proper filing officer as his agent to receive service of process. Immediately upon receipt of process served upon the proper filing officer, such officer shall, by certified mail, return receipt requested, mail the process to the person."

Section 10. A new Section 3-8-24.7 NMSA 1953 is enacted to read:

"3-8-24.7. PRIMARY ELECTION LAW—WRITE-IN CANDIDATES.—

A. A write-in vote in the primary election for the office of United States representative in congress, an office voted upon by all the voters of the state, for a member of the legislature, district judge, district attorney, state board of education or magistrate shall be counted and canvassed as if the name written in was printed on the ballot, provided:

(1) the person whose name has been written in has filed a declaration of intent to be a write-in candidate pursuant to this section;

(2) the person is qualified to be a candidate in the primary election for the political party for which he is a write-in candidate; and

(3) the name of the write-in candidate is written in the slot provided on the voting machine or on the blank line provided on the paper ballot for the designated office.

B. A person desiring to be a write-in candidate on the primary election ballot of the political party of his registration shall file with the proper filing officer a declaration of intent to be a write-in candidate. Such declaration of intent shall be filed before 5:00 p.m. on the twenty-second day preceding the primary election at which such candidacy is to be considered.

C. The secretary of state shall prescribe the form of the declaration of intent to be a write-in candidate.

D. As used in this section, "write-in" does not include the imprinting of any name by rubber stamp or similar device, or the use of preprinted stickers or labels."

Section 11. Section 3-8-26 NMSA 1953 (being Laws 1969, Chapter 240, Section 176) is repealed and a new Section 3-8-26 NMSA 1953 is enacted to read:

"3-8-26. PRIMARY ELECTION LAW—FILING FEE.—The filing fee for any office for which a filing fee is required to be paid at the time of filing a declaration of candidacy shall be fifty dollars ($50.00)."

Section 12. A new Section 3-8-26.1 NMSA 1953 is enacted to read:

"3-8-26.1. PRIMARY ELECTION LAW—PAUPER'S STATEMENT IN LIEU OF FILING FEE.—In the event any candidate is unable to pay the filing fee prescribed by the Primary Election Law he may file a statement with the proper filing officer at the time he files his declaration

of candidacy to the effect that he is without financial means to pay such filing fee. The statement shall be sworn and subscribed to on the form prescribed by the secretary of state and furnished to each county clerk and shall be attached by the proper filing officer to the declaration of candidacy."

Section 13. EMERGENCY.—It is necessary for the public peace, health and safety that this act take effect immediately.

/s/ Walter K. Martinez, Speaker
House of Representatives

/s/ Albert Romero, Chief Clerk
House of Representatives

/s/ Robert A. Mondragon, President
Senate

/s/ Juanita Pino, Chief Clerk
Senate

Approved by me this 29th day of March, 1973.

/s/ Bruce King, Governor
State of New Mexico